

Appendix J

Summary of Legislation Related to Health Care Workforce



Statewide Health Coordinating Council

Summary of Legislation Related to Health Care Workforce 76th Legislative Session

Bill Author	Synopsis	SHCC Goal
HB 1 General Appropriation Act (Junell)	An article VIII rider requires Health Professional Council (HPC) member agencies located in the Hobby building to transfer funds to HPC for purchase of an electronic imaging system for shared use. A rider on the Department of Information Resources (DIR) appropriation gives DIR \$134,000 to conduct a Regulatory Systems and Comparative Analysis study of the common licensing system operated by the several of HPC boards and the study outcome could impact most, if not all, member agencies.	
HB 27 Goolsby	Requires physicians to furnish a copy of a patient's complete medical record in 15 business days. Requires TSBME to adopt rules concerning appointed custodians of patient records. (Current law allows 30 days and a physician can refuse if harmful to patient.)	Goal 7
HB 110 Maxey	Establishes a physician profile to be created and maintained online for public access. Also requires a feasibility study be completed by 1/1/00 to determine cost and methodology to establish similar profiles for Chiropractors, Dentists, Occupational Therapists, Optometrists, Pharmacists, Physical Therapist, Podiatrists, and Psychologists.	Goal 2
HB 573 Pitts	Changes state law to permit a medical license holder to complete up to half of the informal continuing medical education credit by providing volunteer medical services at a site serving a medically underserved population that is not the primary practice site of the license holder.	Goal 2
HB 595 Maxey	Allows question of test question in a closed meeting.	
HB 692 Janak	Social Security numbers of an applicant or holder of a license to practice in a specific profession are considered confidential and are not subject to disclosure under open records law.	Goal 2
HB 749 Van de Putte	Prohibits sale of infant formula or baby food, drugs, or contact lenses, including disposable lenses, at a flea market unless the person selling the items is authorized in writing to sell the item at retail by the manufacturer. (A TDH permit is required to sell contact lenses in Texas and purchaser must have fully written prescription.)	Goal 2
HB 923 Coleman	Updates and clarifies language regarding the regulation of licensed professional counselors and provides for a license renewal system whereby licenses expire on various dates during the year.	Goal 2
HB 1051 Brimer	Authorizes therapeutic optometrists to treat glaucoma under consultation with an ophthalmologist. Full implementation will not occur until early next year.	Goal 2

Bill Author	Synopsis	SHCC Goal
HB 1194 Turner	Expands the definition of “rural area”. Requires a system that arranges for or provides health care services on a capitated, prepaid basis to obtain a certificate of authority under the Texas Health Maintenance Organization Act. Allows the Commissioner of Insurance to waive requirements of the Texas HMO Act relating to mileage, distance, and network adequacy and scope. Removes a requirement to establish an advisory committee (leaving it permissive instead)	SHCC Vision
HB 1342 Maxey	Implements interstate compact for multi-state regulation of nursing for Board of Nurse Examiners (BNE) and Board of Vocational Nurse Examiners (BVNE). Removes BVNE requirement for LVN program length to be at least 12 months. After 1/1/00, a Texas license will allow Texas nurses to practice in all states that are a party to the compact.	Goal 2
HB 1398 Coleman	By January 1, 2000, Health and Human Services Commission (HHSC) must establish a regional health care delivery system pilot program to coordinate the use of health care resources in a region. By January 1, 2003, HHSC must submit a written report relating to the pilot program to the Governor, Lt. Governor, and the Speaker of the House.	SHCC Vision
HB 1444 Delisi	Defines essential public health services. Creates grants for essential public health services to be administered by Texas Department of Health (TDH), subject to the availability of funds, grants will be awarded to cities, counties, public health districts, or other political subdivisions. Grants must be distributed equally between urban and rural areas. Grantees must appoint a local health authority and may appoint a local health board. Requires TDH, subject to the availability of funds, to provide essential public health services for populations for which a municipality, county, public health district, or other political subdivision is not receiving a grant. Requires TDH, in cooperation with grantees, to evaluate essential public health services provided and the adequacy of funding for these services and report to the Governor and Legislature each odd-numbered year. Requires TDH, subject to the availability of funds, to establish a public health consortium of health science facilities to: develop curricula to train public health workers; conduct research on health outcomes; develop performance standards for local public health entities; and study and improve the technology available to local public health entities. Allows a county with a population of at least 2.8 million to require a trained food manager to be on duty during the operating hours of a food establishment.	Goal 6

Bill Author	Synopsis	SHCC Goal
HB 1513 Maxey	Redefines “public use data” to include patient level data that has had patient identifying information removed and that identifies physicians only by use of uniform physician identifiers. Requires the Health Care Information Council (HCIC) to establish a committee which has experience in ethics, patient confidentiality, and health care data to approve requests for information and to adopt rules regarding the release of patient data.	Goal 7
HB 1864 Capelo, Shapleigh	Requires TDH to set up committee to study frameworks for promotional use and preparation, to establish and operate a training and certification program by January 2000.	Goal 1
HB 1945 Junell	Creation of permanent funds for public health purposes conducted by institutions of higher learning. Directs the board of regents of the UT System to administer the fund (permanent funds for public health purposes conducted by institutions of higher learning). Lists institutions to receive funds. Outlines allocation of distribution. Requires annual reporting to the Legislative Budget Board. Establishes separate permanent endowment funds for certain institutions and allows the governing board to administer the fund. Establishes a permanent fund for Higher Education, Nursing, Allied Health, and other Health-related programs. Establishes a permanent fund for Minority Health Research and Education.	Goal 1
HB 1987 McCall	Permits the Board of Medical Examiners to accept an appropriate licensure examination given by another entity.	Goal 2
HB 2025 Pickett	Provides that a Border Health Institute be established in the city of El Paso. Requires the institute to operate in a manner that facilitates or assists the activities of international, national, regional, or local health related institutions working in the Texas-Mexico border region to deliver health care and conduct research.	Goal 1
HB 2085 McCall	Sets forth provisions regarding the continuation of the Texas Department of Health until September 1, 2011. Requires Texas Board of Health to develop, publish, and to the extent allowed by law, implement a comprehensive strategic and operational plan. Requires TDH to comprehensively study the impact that the state’s Medicaid managed care program has had on each of the populations served by TDH and on all health care providers, clinics, and hospitals by 11/1/00.	SHCC Vision

Bill Author	Synopsis	SHCC Goal
HB 2202 Tillery	<p>Permits a school district to design a cooperative health care program model that may provide for the delivery of conventional health services and disease prevention of emerging health threats specific to the district. Permits establishment of Local Health Education and Health Care Advisory Council to ensure local community values are reflected in the operation of a Public School Health Center (PSHC) and is providing health education in the district. Permits establishment of a PSHC by a school district upon recommendation of Local Health Education and Health Care Advisory Council. Permits contracting with a third party to provide services. Requires PSHC staff and parent/guardian to jointly identify health-related concerns of a student that may be interfering with the student's well-being or ability to succeed in school. Requires parental/guardian consent to receive services; consent may be limited to specific services. Prohibits reproductive service, counseling, referrals. Permits school district to request assistance in establishing and operating a PSHC from any community public health agency, which must cooperate considering available resources.</p> <p>Requires good faith effort by PSHCs to coordinate with existing health care systems and medical relationships in the community if located in county with less 50,000 or in a medically underserved area. Requires PSHC to notify student's primary care physician prior to providing a service; must obtain approval of student's primary care physician if student is covered by Medicaid, CHIP, private health insurance, or a private health benefit plan. Permits TDH Commissioner, based on the availability of funds, to award up to \$250,000 per biennium in grants to a district providing matching funds, with preference to districts in rural areas or with low per student property values.</p>	Goal 4
HB 2382 Coleman	Requires the Board of Physical Therapy Examiners to authorize licensee peer organizations to evaluate and approve continuing education courses in accordance with the established process.	Goal 2
HB 2394 Maxey	Allows licensure by endorsement for applicants in good standing as a therapeutic optometrist in another state or U.S. territory. Must have passed an exam that is equivalent to the Texas exam and meet other requirements.	Goal 2
HB 2636 Gray	Allows TDH to assess registration fees on persons who perform radiological procedures.	

Bill Author	Synopsis	SHCC Goal
HB 2641 Gray	HHSC must submit a report by December 15, 2000 relating to regulatory programs conducted by the Texas Department of Health. Included in the report, HHSC must consider whether (1) a new agency should be established to administer regulatory programs related to health-related professions and (2) the duties of the Health Professions Council should be expanded to encompass all or some of the health-related regulatory program.	Goal 2
HB 2824 Gray	Authorizes each of the 11 boards of the TDH Licensing and Certification Division to exercise the subpoena authority relating to witnesses and documents, to administer oaths, and to seek enforcement power in Texas district courts.	Goal 2
HB 3083 Telford	Allows licensed home and community support services agencies in Texas to accept orders for care from physicians located in states bordering Texas.	Goal 2
HB 3155 Wolens	Nonsubstantive changes to current law, codifying the law into the Occupations Code, using more modern language, eliminating language no longer in effect and rearranging sections with the Code. Agencies must update all rules, forms, etc. where current law is cited.	
HB 3216 McCall	Requires the Board of Medical Examiners, to administer the collection, verification, maintenance, and storage of information relating to physician credentials, and the release of that information to health care entities or to the designated credentials verification organization authorized by the physician to receive that information.	Goal 2
SB 215 Duncan	Provides volunteer health care provider immunity from civil liability under specified conditions. Includes currently practicing and retired physicians, nurses, pharmacists, dentists, and dental hygienists.	Goal 2
SB 310 Cain	Expands the size of the Board of Examiners of Occupational Therapists, authorizes more authority for certain administrative functions, and increases the variety of enforcement tools.	Goal 2
SB 374 Zaffirini	Requires HHSC, DHS, and TDoA to assist Texas Communities in developing comprehensive, community-based support and service delivery systems for long-term care services. HHSC serves on a workgroup that will assist DHS and MHMR in studying coordination of planning and services between the two agencies in providing long-term care services. HHSC directs and requires the Texas Planning Council for Developmental Disabilities and the Office for the Prevention of Developmental Disabilities to prepare a joint biennial report on the state of services to persons with disabilities in this state.	SHCC Vision

Bill Author	Synopsis	SHCC Goal
SB 413 Madla	Increases post degree contact hours for licenses of marriage and family therapists and creates a licensing designation for a marriage and family therapist "associate".	Goal 2
SB 445 Moncrief	Requires the Health and Human Services Commission (Commission) to develop a state-designed child health plan program to obtain health benefits coverage for children in low-income families and to ensure that the program is designed and administered in a manner that qualifies it for federal funding. Requires the Texas Department of Health to administer the plan under the direction of the Commission.	SHCC Vision
SB 524 Moncrief	Allows public access to "warning letters" issued to licensees by the Board of Dental Examiners and makes warning letters part of a disciplinary action of the Board.	Goal 2
SB 556 Nelson	Authorizes licensed qualified health care professionals, within the scope of the professional's licensure, to refer health care service to occupational therapists.	Goal 2
SB 590 Truan	Requires the establishment of the Texas A&M University System Coastal Bend Health Education Center and provides guidelines for its operation. Authorizes the center to provide undergraduate and graduate clinical education, or certain other levels of health care education work, in an area determined appropriate by the board. Requires the Regents of the Texas A&M University System to implement the Act only if the legislature appropriates money specifically for that purpose.	Goal 1
SB 730 Madla	Amends Pharmacy Act providing authority, beginning 9/1/01, to register pharmacy technicians and establish training/education requirements; allowing biennial licensing of pharmacists/pharmacies, and requiring reporting of malpractice claims.	Goal 2
SB 780 Madla	Establishes concept of pharmacy peer review committee.	Goal 2
SB 964 Lucio	"Housekeeping" bill for Board of Dental Examiners. Clarifies that contract management service companies may not require action or decisions that affect the quality of care through their contracts. Eliminates requirement that dental hygienist be supervised by an employing dentist, allowing a hygienist to be supervised by supervising dentist and to give care in settings such as public health clinics.	Goal 2
SB 1131 Madla	Amends hospital-licensing law to allow a hospital to extend privileges to Advanced Practice Nurses and Physician Assistants. Amends definition of a designated agent on the Dangerous Drug Act to allow a physician to designate a licensed vocational nurse or person with education equivalent to or greater than required for an LVN to communicate prescriptions of APNs or PAs.	Goal 2

Bill Author	Synopsis	SHCC Goal
SB 1207 Cain	Rewrites the licensure section of the Medical Practice Act for clarification purposes, consolidates relevant subsections, and deletes obsolete wording. This bill also establishes provisions regarding the board and the licensure of physicians, while providing penalties for violations of the Act.	Goal 2
SB 1223 Moncrief	Authorizes licensed vocational nurses to be certified to practice acupuncture for certain limited purposes.	Goal 2
SB 1233 Nelson	Allows athletic trainers to practice under the referral of a physician or other licensed health professional who is licensed to refer for health care services within scope of the person's license. Expands the definition of who may be treated by an athletic trainer and revises the definition of an athletic trainer.	Goal 2
SB 1288 Zaffirini	Requires the board of regents of The University of Texas System to establish and operate a campus extension of the University of Texas Health Science Center at San Antonio (UTHSCSA) in the city of Laredo. Requires UTHSCSA to act only if a public or private entity offers the board of regents sufficient land in Laredo to construct the campus extension, and public or private entities agree to provide funds necessary to construct an administrative building for the campus extension. Authorizes the extension to be used to provide undergraduate and graduate medical and dental education, and other levels of health education work in collaboration with Texas A& M International University or any component institution of the Texas A&M University System (TAMU) or the University of Texas System (UTS).	Goal 1
SB 1294 Zaffirini	Corrects conflicts in existing statutes concerning billing practices by deleting language regarding overcharging or over treating a patient from several statutes including the Medical Practice Act and HPC's enabling legislation and substitutes languages referencing Section 311.0025, Health and Safety Code to prohibit improper, unreasonable, or medically unnecessary billing by hospitals or health care professionals.	SHCC Vision
SB 1525 Madla	Adds the definition of "medical nutrition therapy" to the services provided by a licensed dietitian, and grants rulemaking authority to the Texas State Board of Examiners of Dietitians.	Goal 2
SB 1678 Bernsen	Set guidelines for the regulation of social workers and social work associates, provides administrative penalties for violations of the Act, and creates a whistleblower provision for licensed social workers.	Goal 2
SB 1906 Sibley	Addresses confidentiality of dental patient records with certain exceptions.	

